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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,657	07/09/2003	Joshua R. Bressler	40117/00101	9317
7590	11/02/2005		EXAMINER	
Patrick J. Fay, Esq. FAY KAPLUN & MARCIN, LLP Suite 702 150 Broadway New York, NY 10038			BUI, BING Q	
			ART UNIT	PAPER NUMBER
			2642	
DATE MAILED: 11/02/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/615,657	BRESSLER, JOSHUA R.	
	Examiner	Art Unit	
	Bing Q. Bui	2642	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 16 August 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-32 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-32 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 09 July 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's Amendment filed on 8/16/2005 has been entered. Claims 1, 11 and 23 have been amended. No claims have been cancelled. Claims 31 and 32 have been added. Claims 1-32 are still pending in this application, wherein claims 1, 11, 23, 31 and 32 being independent.

Response to Arguments

2. Applicant's arguments filed on 8/16/2005 have been fully considered but they are not persuasive. In response to Applicant's Remarks, Examiner respectfully disagrees with Applicant's arguments addressed in such Remarks due to following reasons:

For economic and revenue purpose, it is obviously that every communication service provider (e.g., local and long distance service, toll free service, call waiting service, voice mail service, message delivery service, etc.) tries hard for servicing as many service subscribers as they could. Therefore, "Personal Communication Service" (PCS) disclosed by Brennan serving a plurality of service subscribers is not exceptional. However, referring to Brennan, each PCS subscriber only has a single personal number (e.g., single telephone number) and a caller who desires to reach the subscriber only needs to know and dial this single personal number regardless the subscriber is currently at home, office, cottage or car; and the call will be handled (e.g., forwarding to subscriber's home, office, cottage, car or messaging system) based on who is calling (e.g., call source identification) and when the call is received in response to the call directed to this single personal number.

For above reason, Examiner's ground of rejection with Brennan is maintained.

Claim Rejections - 35 USC § 102

3. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Brennan et al (US Pat. No. 5,329,578), herein after referred as Brennan.

Regarding claim 1, referring to Figs 1a and 2a-2d, Brennan teaches a software package (e.g., subscriber service profile) comprising:

a source identifying module for determining source data corresponding to a source of incoming telephone calls (see Figs 1a and 2a-2d; and col. 4, ln 67-col. 5, ln 59);

a call handling module including instructions for each of a plurality of call handling modes (see Figs 1a and 2a-2d; and col. 5, ln 60-col. 8, ln 17);

a handling mode selection module determining which call handling mode controls handling of an incoming call based on the source data and a time of receipt of the incoming call (see Figs 1a and 2a-2d; and col. 6, ln 47-col. 8, ln 17).

Regarding claims 2-10, 12-22 and 24-30, note Figs 1a and 2a-2d; and col. 4, ln 67-col. 8, ln 17.

Regarding claim 11, referring to Figs 1a and 2a-2d, Brennan teaches a method of controlling operation of a telephone comprising the steps of:

extracting from an incoming call source data corresponding to a source of the call (see Figs 1a and 2a-2d; and col. 4, ln 67-col. 5, ln 59);

specifying a set of call handling instructions for each of a plurality of call handling modes (see Figs 1a and 2a-2d; and col. 5, ln 60-col. 8, ln 17);

electing one of the call handling modes for each incoming call received based on the source data and a time of receipt of the incoming call (see Figs 1a and 2a-2d; and col. 6, ln 47-col. 8, ln 17).

Regarding claim 23, referring to Figs 1a and 2a-2d, Brennan teaches a telephone system comprising:

a source notification device, providing an indication to a call recipient of a source of each of a plurality of incoming calls;

a memory including operating code for controlling operation of the system, the operating code including a plurality of call handling modes which may be applied to incoming calls, and storing call recipient input indicating a corresponding one of the plurality of call handling modes to be applied to an incoming call based on the source data and a time of receipt of the incoming call.

As to claims 23, 31 and 32, they rejected for the same reasons set forth to rejecting claims 1 and 11 above.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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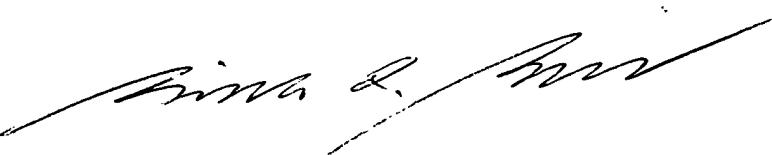
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 and for formal communications intended for entry (please label the response EXPEDITED PROCEDURE) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

29 OCT 2005



BING Q. BUI
PRIMARY EXAMINER